

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**December 6, 2007 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First Street, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:35 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Bill Fahey, Vice Chair
Grace Chewning
Larry Lawver (arrived at 1:45)
Gerald Ames
Jay Ammon

Present and Sworn: Sam Zalloun, Representative of the Respondent, 07-134-CEB
David Brooke, Respondent, 07-139-CEB
Ernest Scott, Respondent, 06-93-CEB
Nancy Helms, Respondent, 07-54-CEB
Jerry Robertson, Code Enforcement Officer, SCSO
Joann Davids-Tamulonis, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Jean Krause, Reserve Code Enforcement Officer, SCSO
Jason Rucker, Inspector

Others Present: Yvette Brown, Code Enforcement Board Attorney
Jane Spencer, Clerk to the Code Enforcement Board



IV Swearing in of Witnesses

None

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V

Agenda Update and Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

TOM HAGOOD – YES

GRACE CHEWNING – YES

GERALD AMES – YES

BILL FAHEY – YES

JAY AMMON – YES

MOTION CARRIED 5 – 0.

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The following cases will not be heard today:

CASE NO 07-76-CEB
EDNA BURNETT
CONTINUED BY STAFF

CASE NO 07-105-CEB
GREGORIO & NANCY ALAVA
COMPLIED PRIOR TO HEARING

CASE NO 07-126-CEB
THOMAS R. & RACHEL H. DARNELL
COMPLIED PRIOR TO HEARING

CASE NO 07-130-CEB
MUSA/ZMG OAKMONTE, LLC
COMPLIED PRIOR TO HEARING

CASE NO 07-137-CEB
MICHAEL & SHAWN CHEMA
COMPLIED PRIOR TO HEARING

CASE NO 07-138-CEB
U-STORE IT, LP & CT CORP. SYSTEM
CONTINUED BY STAFF

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

CASE NO 07-140-CEB
RAHAMAT & ZAREIDA R. ALI
COMPLIED PRIOR TO HEARING

CASE NO 07-141-CEB
RODNEY R. VERMILIO
COMPLIED PRIOR TO HEARING

CASE NO 07-142-CEB
COLONY AT CHASE, LLC
COMPLIED PRIOR TO HEARING

CASE NO 07-147-CEB
JAMES W. ROBINSON
CONTINUED BY STAFF

CASE NO 07-149-CEB
NAYDA TORRES & FRANCISCO S. ALMODOVAR
COMPLIED PRIOR TO HEARING

Case No. 07-134-CEB
David Nourachi, Trustee
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: Blake Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-506-0000-0090

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird stated that as of her final inspection, November 29, 2007, the property was in compliance. Officer Hird stated that this was a recurring problem.

Officer Hird stated that her recommendation would be a fine of \$75.00 per day if the violations are repeated past December 6, 2007.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Sam Zolloun, Property Manager for the Respondent, was present at the hearing, testified on behalf of the Respondent and entered an exhibit into evidence.

Tom Hagood asked Mr. Zolloun if he was the person that was responsible for maintaining this property. Mr. Zolloun stated that he was but that other people dump trash and debris onto this property.

Bill Fahey asked Mr. Zolloun how often the lawn maintenance person comes to maintain the property. Mr. Zolloun stated that the lawn maintenance person comes to the property once a month. Mr. Fahey informed Mr. Zolloun that this was not often enough to maintain the property.

A general discussion was had concerning the boundaries of the subject property.

Officer Hird stated, again, that this is a recurring problem which has required her to send numerous notices.

Motion by Grace Chewning, seconded by Jay Ammon, to accept Staff's recommendation. Bill Fahey amended the motion to increase the fine to \$100.00 per day if the violations are repeated. Gerald Ames seconded the amendment. The amendment passed by a unanimous vote.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-134-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-506-0000-0090) located at Blake Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 9 LULA BLAKES REVISION PB 8 PG 101

- (b) in possession or control of the property, and
- (c) **was** in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)

It is hereby ordered that the Respondent is in compliance at this time. In order to remain in compliance, the Respondent shall:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS
- 2) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE

It is further ordered that if these violations are repeated, a fine of **\$100.00 per day** will be imposed for each day the violations are repeated after compliance past **December 6, 2007**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES**

MOTION CARRIED 5 – 0.

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(Larry Lawver arrived at 1:45)
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Case No. 07-139-CEB
David R. Brooke
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 3143 Windchime Circle South, Apopka (Commission District 3)
Parcel I. D. # 18-21-29-524-0000-1420

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that this was a recurring violation.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Officer Tamulonis stated that the recommendation would be to comply by December 20, 2007 with a fine of \$100.00 per day if the violation continues or is repeated past December 20, 2007.

David Brooke, Respondent, was present at the hearing and testified on his own behalf. Mr. Brooke stated that he had mowed the grass before he received the second notice. Other than mowing, he was unclear as to what violation the Code Officer was talking about. Mr. Brooke stated that he believed he was presently in compliance.

Bill Fahey asked Officer Tamulonis when she had last inspected the property. Officer Tamulonis stated that the date of her last inspection was 10/4/07. Officer Tamulonis stated that the property may be in compliance at this time but that she had not been out to reinspect.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-139-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 18-21-29-524-0000-1420) located at 3143 Windchime Circle South, Apopka, located in Seminole County and legally described as follows:

LEG LOT 142 BEL AIRE HILLS UNIT 2 PB 22 PGS 89-90

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)

It is hereby ordered that the Respondent shall correct the violation on or before December 20, 2007. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE

If the Respondent does not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violation continues or is repeated after compliance past December 20, 2007.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	LARRY LAWVER - YES

MOTION CARRIED 6 – 0.

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Case No. 06-93-CEB
Ernest and Frances Scott
Senior Code Enforcement Officer: Deborah Leigh

This case was originally heard by the Code Enforcement Board on December 14, 2006; and an Order was entered giving the Respondents a compliance date of May 1, 2007. On March 22, 2007, the Board entered an Order extending the Respondents' compliance date to October 18, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on October 22, 2007.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$4,900.00** for 49 days of non-compliance, from October 19, 2007 through and including December 6, 2007, at \$100.00 per day; and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past December 6, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (b), (c), (d), (g), (j), (l) and (p)

- Described as:
- 1) Refuse
 - 2) Rubbish
 - 3) Junk
 - 4) The accumulation of trash and debris
 - 5) Used/scrap building materials
 - 6) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

- 7) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county

Location: 4531 McKay Street, Lake Monroe (Commission District 5)
Parcel I. D. # 20-19-30-501-0000-0480

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Leigh stated that there had been very little compliance in the case.

Ernest Scott, Respondent, was present at the hearing and testified on his own behalf. Mr. Scott stated that he was trying to come into compliance but felt that he needed more time.

Tom Hagood asked the Respondent if he understood that the fine was accruing at \$100.00 per day. The Respondent stated that he was aware of that.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER, THAT THE CASE BE CONTINUED UNTIL THE FEBRUARY 28, 2007 MEETING.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

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Case No. 07-54-CEB
Nancy Helms
Code Enforcement Officer: Joann Tamulonis

This case was continued from the October 25, 2007 meeting.

This case was originally heard by the Code Enforcement Board on May 17, 2007; and an Order was entered giving the Respondent a compliance date of June 14, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on June 15, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 25, 2007.

This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$33,000.00** for 132 days of non-compliance, from June 15, 2007 through and including October 24, 2007, at \$250.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (f), (g), (h), (j) and (p)

Described as:

- 1) Unusable or abandoned appliances or white goods
- 2) The accumulation of trash and debris
- 3) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
- 4) Used/scrap building materials
- 5) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county.

Location: 103 Champion Avenue, Altamonte Springs (Commission District 3)
Tax Parcel ID # 03-21-29-505-0X00-0400

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County stating that the property was presently in compliance. Officer Tamulonis stated that the administrative costs were \$316.00

Nancy Helms, Respondent, was present at the hearing and testified on her own behalf. Ms. Helms requested the fine be rescinded or reduced.

Motion by Bill Fahey, seconded by Grace Chewing, to reduce the fine to \$500.00 if paid within 30 days. If the fine is not paid within 30 days, it will revert back to the original amount of \$33,000.00. Gerald Ames amended the motion to allow the Respondent 90 days to pay the reduced amount of the fine. Mr. Fahey and Ms. Chewing agreed to the amendment.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 03-21-29-505-0X00-0400) located at 103 Champion Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

LEG BEG 861.25 FT E + 104.05 FT S OF NW COR BLK X RUN S 79
DEG 40 1/2 MIN E 197.48 FT N 15 DEG 19 1/2 MIN E 70 FT N 79 DEG
40 1/2 MIN W 197.48 FT S 15 DEG 19 1/2 MIN W 70 FT TO BEG
MOBILE MANOR 2ND SEC PB 11 PG 48

This case came on for public hearing before the Code Enforcement Board of Seminole County on May 17, 2007, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (f), (g), (h), (j) and (p).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by June 14, 2007.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on June 15, 2007.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on October 25, 2007.

Accordingly, it having been brought to the Board's attention that the Respondent has complied with the Findings of Fact, Conclusions of Law and Order dated May 17, 2007.

Therefore, the Board orders that a **lien** in the amount of **\$33,000.00** for 132 days of non-compliance at \$250.00 per day, from June 15, 2007 through and including October 24, 2007, **be reduced to \$500.00.**

It is further ordered that the Respondent shall have **90 days** in which to pay the reduced fine of **\$500.00**. If the Respondent does not pay this amount on or before **March 5, 2008**, the fine will revert to the original amount of \$600.00 and shall constitute a lien upon any real or personal property owned by the Respondent.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No 03-03-CEB
Marguerite S. Hunter
Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The original violation was heard by the Board on December 4, 2003; and an Order was entered giving the Respondent a compliance date of January 5, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 6, 2004. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 17, 2004. An Order rescinding the \$5,250.00 fine was entered by the Code Enforcement Board on March 18, 2004.

An Affidavit of Repeat Violation was filed after reinspection on July 2, 2007.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$11,850.00** for 158 days of non-compliance, from July 2, 2007 through and including December 6, 2007, at **\$75.00 per day** and the fine shall continue to accrue at \$75.00 per day until compliance is obtained.. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(h)
Described as: 1) Uncultivated vegetation in excess of 24” in height and located within 75’ of a structure
Location: 5038 Lake Howell Road, Winter Park (Commission District 4)
Tax Parcel ID # 33-21-30-506-0000-0060

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Wisniewski stated that she last inspected the property on November 28, 2007 and found that the front yard was in compliance but not the backyard.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Officer Wisniewski stated that although she first observed the repeated violation in July of this year, she had continued the case until today because the Respondent, who lives out of town, had requested several continuances. Officer Wisniewski stated that the Respondent's letter stated that the Respondent believed she was in compliance.

Marguerite S. Hunter, Respondent, was not present at the hearing.

Motion by Gerald Ames to continue the case for 30 days had no second.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION NOT IN COMPLIANCE BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION NOT IN COMPLIANCE

The Respondent is the owner of record of the property (Tax Parcel ID # 33-21-30-506-0000-0060) located at 5038 Lake Howell Road, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 6 TANGLEWOOD SEC 2
1ST REPLAT PB 10 PG 44

This case came on for public hearing before the Code Enforcement Board of Seminole County on the December 4, 2003 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code Chapter 95, Section 95.4 as defined in 95.3 (h).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondent did not take certain corrective action by January 5, 2004. Compliance was obtained after reinspection on March 17, 2004.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on July 2, 2007.

Based on the testimony and evidence presented, the Respondent is in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 4, 2003.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Therefore, the Board finds that the Respondent is in repeat violation and orders that a fine in the amount of **\$11,850.00** for 158 days of non-compliance, from July 2, 2007 through and including December 6, 2007, at \$75.00 per day be imposed; and the fine shall continue to accrue at **\$75.00 per day** for each day the violation continues or is repeated past December 6, 2007.

Respondent is further ordered to contact the Seminole County Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Enforcement Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – NO**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 1.

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Case No 03-70-CEB
Christine Watson
Code Enforcement Officer: Dorothy Hird

This is a second repeat violation. The original violation was heard by the Board on August 28, 2003 and an Order was entered giving the Respondent a compliance date of September 12, 2003. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on September 18, 2003.

An Affidavit of Repeat Violation was filed after reinspection on December 6, 2004. An Affidavit of Compliance After Repeat Violation was filed after reinspection on January 19, 2005. An Order rescinding the \$2,150.00 fine was entered by the Code Enforcement Board on January 27, 2005.

A second Affidavit of Repeat Violation was filed after reinspection on September 29, 2007.

This property is NOT in compliance at this time.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

RECOMMENDATION: The Board issue an Order constituting a **fine** on a second repeat violation in the amount of **\$3,450.00** for 69 days of non-compliance, from September 29, 2007 through and including December 6, 2007, at **50.00 per day**; and further orders that if the violation continues past December 6, 2007, the fine shall be **increased to \$75.00 per day** for each day the violation continues past or is repeated after December 6, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (l)
Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport
Location: 618 Plum Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0900

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird testified that as of her last inspection, December 5, 2007, the property was not in compliance.

Christine Watson, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION NOT IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION NOT IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel ID # 07-21-30-503-0000-0900) located at 618 Plum Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 90 GRANADA SOUTH PB 15 PG 100

This case came on for public hearing before the Code Enforcement Board of Seminole County on the August 28, 2003 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code Chapter 95, Section 95.4 as defined in 95.3 (l).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondent did not take certain corrective action by September 12, 2003. Compliance was obtained after reinspection on September 18, 2003.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on September 29, 2007.

Based on the testimony and evidence presented, the Respondent is in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated August 28, 2003.

Therefore, the Board finds that the Respondent is in repeat violation and orders that a fine in the amount of **\$3,450.00** for 69 days of non-compliance, from September 29, 2007 through and including December 6, 2007, at \$50.00 per day be imposed; and further orders that if the violation continues past December 6, 2007, the fine shall be **increased to \$75.00 per day** for each day the violation continues past or is repeated after December 6, 2007.

Respondent is further ordered to contact the Seminole County Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Enforcement Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Case No. 07-131-CEB
Bennett F. Hansen
Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
(Installed a privacy fence)
Location: 2782 Falcon Crest Place, Lake Mary (Commission District 5)
Parcel I. D. # 03-20-30-5PB-0000-1350

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his last inspection, October 9, 2007, the property was not in compliance.

Inspector Rucker stated that the recommendation would be to comply by January 6, 2008 with a fine of \$250.00 per day if the violation continues or is repeated past January 6, 2008.

Bennett F. Hansen, Respondent, was not present at the hearing.

General discussion was had concerning fencing regulations.

Motion by Bill Fahey, seconded by Jay Ammon, to accept Staff's recommendation but with a fine of \$100.00 per day.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-131-CEB, it is determined that the Respondent is:

(a) the owner of record of the property (Tax Parcel ID # 03-20-30-5PB-0000-1350) located at 2782 Falcon Crest Place, Lake Mary, located in Seminole County and legally described as follows:

LOT 135 EGRETS LANDING PB 54 PGS 96 THRU 99

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

It is hereby ordered that the Respondent shall correct the violation on or before January 6, 2008. In order to correct the violation, the Respondent shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS OR REMOVE THE UNPERMITTED CONSTRUCTION

If the Respondent does not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violation continues or is repeated after compliance past January 6, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

Case No. 07-132-CEB
Heather Dreblow
Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
(Electrical, mechanical and constructed storage)
Location: 137 Fairway Ten Drive, Casselberry (Commission District 1)
Tax Parcel ID # 15-21-30-504-0D00-0240

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his last inspection, October 10, 2007, the property was not in compliance.

Inspector Rucker stated that the recommendation would be to comply by January 6, 2008 with a fine of \$250.00 per day if the violation continues or is repeated past January 6, 2008.

Heather Dreblow, Respondent, was not present at the hearing.

Motion by Jay Ammon, seconded by Larry Lawver, to accept Staff's recommendation but with a compliance date of February 15, 2008.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-132-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 15-21-30-504-0D00-0240) located at 137 Fairway Ten Drive, Casselberry, located in Seminole County and legally described as follows:

LEG LOT 24 BLK D STERLING PARK UNIT 3 PB 18 PGS 52 TO 54

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before February 15, 2008. In order to correct the violation, the Respondent shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS OR REMOVE THE UNPERMITTED CONSTRUCTION

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past February 15, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

Case No. 07-133-CEB
Ronald M. & Tina L. Dunfee
Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
(Enclosed carport to make a garage, installed a shed, replaced roof on house and replace windows)
Location: 393 Croton Drive, Maitland (Commission District 3)
Tax Parcel ID # 23-21-29-503-0B00-0160

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his last inspection, October 17, 2007, the property was not in compliance.

Mr. Rucker stated that the Respondents had pulled a permit in 2005 which expired after six months. Mr. Rucker stated that the Respondents were in the Building Department today and that while they did apply for a permit again, they did not apply for the shed or bring in any paperwork concerning the garage.

Inspector Rucker stated that the recommendation would be to comply by January 6, 2008 with a fine of \$250.00 per day if the violation continues or is repeated past January 6, 2008.

Ronald M. & Tina L. Dunfee, Respondents, were not present at the hearing.

Motion by Grace Chewning, seconded by Bill Fahey, to accept Staff's recommendation but with a compliance date of February 15, 2008.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-133-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 23-21-29-503-0B00-0160) located at 393 Croton Drive, Maitland, located in Seminole County and legally described as follows:

LEG LOT 16 BLK B DRUID HILLS PARK PB 10 PG 21

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondents shall correct the violation on or before February 15, 2008. In order to correct the violation, the Respondents shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS OR REMOVE THE UNPERMITTED CONSTRUCTION

If the Respondents do not comply with the Order, a fine of **\$ 250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past February 15, 2008.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Case No. 07-135-CEB
Herman Canty
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (p)

Described as:

- 1) The accumulation of trash and debris
- 2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
- 3) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county

Location: 132 Oak Avenue, Altamonte Springs (Commission District 4)
Tax Parcel ID's #07-21-30-300-0140-0000 &
#07-21-30-300-0150-0000

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird stated that as of her last inspection, December 5, 2007, a lot of work had been done, but that the property was not in compliance.

Officer Hird stated that the recommendation would be to comply by February 29, 2008 with a fine of \$75.00 per day if the violations continue or are repeated past February 29, 2008.

Herman Canty, Respondent, was not present at the hearing.

Motion by Jay Ammon, seconded by Gerald Ames, to accept Staff's recommendation but with a compliance date of March 31, 2008.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY GERALD AMES, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-135-CEB, it is determined that the Respondent is:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-300-0140-0000 and 07-21-30-300-0150-0000) located at 132 Oak Street, Altamonte Springs, located in Seminole County and legally described as follows:

(07-21-30-300-0140-0000)
LEG SEC 07 TWP 21S RGE 30E W 100 FT OF E 203 FT
OF N 57 FT OF S 1/4 OF NE 1/4 OF NE 1/4 OF SW 1/4
and
(07-21-30-300-0150-0000)
LEG SEC 07 TWP 21S RGE 30E N 1/2 OF S 1/2 OF NE 1/4
OF NE 1/4 OF SW 1/4 (LESS E 85 FT OF S 57 FT)

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (p)

It is hereby ordered that the Respondent shall correct the violations on or before March 31, 2008. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS
- 2) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE
- 3) REMOVE ANY OTHER OBJECTIONABLE, UNSIGHTLY, OR UNSANITARY MATTER, SUBSTANCE, OR MATERIAL TENDING BY ITS EXISTENCE AND/OR ACCUMULATION TO ENDANGER OR ADVERSELY AFFECT THE HEALTH, SAFETY, LIVES, AND/OR WELFARE OF THE CITIZENS OF THE COUNTY

If the Respondent does not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violations continue or are repeated after compliance past March 31, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES

BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

Case No. 07-136-CEB
Sarah L. Cannon
Code Enforcement Officer: Jerry Robertson

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 2915 Stone Street, Oviedo (Commission District 2)
Parcel I. D. # 25-20-31-5BA-0000-3660

Jerry Robertson, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Robertson stated that upon his final inspection, the property was in compliance. Officer Robertson stated that this was a recurring problem.

Officer Robertson stated that his recommendation would be a fine of \$100.00 per day if the violation is repeated past December 6, 2007.

Sarah L. Cannon, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-136-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 25-20-31-5BA-0000-3660) located at 2915 Stone Street, Oviedo, located in Seminole County and legally described as follows:

LEG W 633.33 FT OF LOT 366 BLACK HAMMOCK PB 2 PG 110

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

- (b) in possession or control of the property, and
- (c) **was** in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)

It is hereby ordered that the Respondent is in compliance at this time. In order to remain in compliance, the Respondent shall:

1) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE AND MAINTAIN

It is further ordered that if this violation is repeated, a fine of **\$100.00 per day** will be imposed for each day the violation is repeated after compliance past **December 6, 2007**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

Case No. 07-143-CEB
Ralph L. Requena
Code Enforcement Officer: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l)
Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport
Location: 1213 Phillip Street, Winter Springs (Commission District 5)
Parcel I. D. # 33-20-30-509-0000-0210

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Taylor stated that as of her last inspection, December 6, 2007, the property was not in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Officer Taylor stated that the recommendation would be to comply by December 20, 2007 with a fine of \$100.00 per day if the violation continues or is repeated past December 20, 2007.

Ralph L. Requena, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-143-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 33-20-30-509-0000-0210) located at 1213 Phillip Street, Winter Springs, located in Seminole County and legally described as follows:

LEG LOT 21 WILLIAMSON HEIGHTS PB 12 PG 36

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l)

It is hereby ordered that the Respondent shall correct the violation on or before December 20, 2007. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REMOVE OR REPAIR JUNKED OR ABANDONED VEHICLE(S) OR PLACE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT**

If the Respondent does not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violation continues or is repeated after compliance past December 20, 2007.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 07-144-CEB
Annette M. Woodall
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.202 and 30.203
Described as: 1) Unpermitted use in R-1A
2) Unpermitted Special Exception Use in R-1A
Location: 933 Wesson Drive, Casselberry (Commission District 1)
Parcel I. D. # 23-21-30-512-0000-1630

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Wisniewski stated that as of her last inspection, December 6, 2007, the property was not in compliance. Officer Wisniewski stated that these were recurring violations.

Officer Wisniewski stated that the recommendation would be to comply by December 20, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past December 20, 2007.

Annette M. Woodall, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY GERALD AMES, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-144-CEB, it is determined that the Respondent is:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

- (a) the owner of record of the property (Tax Parcel ID # 23-21-30-512-0000-1630) located at 933 Wesson Drive, Casselberry, located in Seminole County and legally described as follows:

LEG LOT 163 ORANGE GROVE PARK UNIT 4 PB 33 PG 22

- (b) in possession or control of the property, and
(c) is in recurring violation of Seminole County Land Development Code, Chapter 30, Section 30.202 and 30.203.

It is hereby ordered that the Respondent shall correct the violations on or before December 20, 2007. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) **CEASE OPERATION OF A BUSINESS OR AN EXTENSION OF A BUSINESS INCLUDING, BUT NOT LIMITED TO AUTO REPAIRS OR AUTO SALES AT THIS LOCATION WHICH IS LOCATED IN R-1A ZONE**
- 2) **CEASE OPERATION OF A BUSINESS OR AN EXTENSION OF A BUSINESS INCLUDING, BUT NOT LIMITED TO AUTO REPAIRS OR AUTO SALES AT THIS LOCATION WHICH IS LOCATED IN R-1A ZONE**

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past December 20, 2007.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Case No. 07-145-CEB
Willie G. McKelvey, Life Estate
Eva Sherman, et al.
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (i)
Described as: 1) The remains or rubble of structures which have been burned, stricken by other casualty, or demolished
Location: 248 Jackson Street, Altamonte Springs (Commission District 4)
Parcel I. D. # 07-21-30-513-0000-0190

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that as of her last inspection, November 28, 2007, the property was not in compliance.

Officer Hird stated that the recommendation would be to comply by February 29, 2008 with a fine of \$75.00 per day if the violation continues or is repeated past February 29, 2008.

Willie G. McKelvey and Eva Sherman, Respondents, were not present at the hearing.

Officer Hird was asked if she believed the violation constituted a threat to public health, safety and welfare. Officer Hird stated that she does believe the violation constitutes a threat.

Motion by Grace Chewning, seconded by Jay Ammon, to accept Staff's recommendation which now includes the health, safety and welfare threat. Bill Fahey amended the motion to increase the fine to \$150.00 per day. Ms. Chewning and Mr. Ammon agreed to the amendment.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-145-CEB, it is determined that the Respondents are:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

- (a) the owners of record of the property (Tax Parcel ID # 07-21-30-513-0000-0190) located at 248 Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 19 HAYMANS ADD NO 2 PB 5 PG 7

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (i)

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is hereby ordered that the Respondents shall correct the violation on or before February 29, 2008. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE THE REMAINS OR RUBBLE OF STRUCTURE WHICH HAS BEEN BURNED, STRICKEN BY OTHER CASUALTY, OR DEMOLISHED. IF THE STRUCTURE IS REPAIRED, THE RESPONDENTS ARE TO SECURE THE PROPER PERMITS.**

If the Respondents do not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past February 29, 2008.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

TOM HAGOOD – YES

GRACE CHEWNING – YES

GERALD AMES – YES

BILL FAHEY – YES

JAY AMMON – YES

LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Case No. 07-146-CEB
Alfred Simpson, Jr.
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (i)
Described as: 1) The remains or rubble of structures which have been burned, stricken by other casualty, or demolished
Location: 2351 S CR 427, Altamonte Springs (Commission District 4)
Parcel I. D. # 07-21-30-509-0A00-0040

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that as of her last inspection, December 5, 2007, the property was not in compliance.

Officer Hird stated that the recommendation would be to comply by March 31, 2008 with a fine of \$75.00 per day if the violation continues or is repeated past March 31, 2008.

Alfred Simpson, Jr., Respondent, was not present at the hearing.

Motion by Gerald Ames to accept Staff's recommendation. Grace Chewning asked Officer Hird if she believed the violation constituted a threat to public health, safety and welfare. Officer Hird said that she did. Mr. Ames accepted the amendment to include that language.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-146-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-509-0A00-0040) located at 2351 S CR 427, Altamonte Springs, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

LEG W 155 FT OF LOT 4 (LESS RD) BLK A
HAYMANS ADD TO ALTAMONTE PB 3 PG 39

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (i)

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is hereby ordered that the Respondent shall correct the violation on or before March 31, 2008. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REPAIR OR REMOVE THE REMAINS OR RUBBLE OF STRUCTURE WHICH HAS BEEN BURNED, STRICKEN BY OTHER CASUALTY, OR DEMOLISHED. IF THE STRUCTURE IS REPAIRED, THE RESPONDENT IS TO SECURE THE PROPER PERMITS.**

If the Respondent does not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violation continues or is repeated after compliance past March 31, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Case No. 07-148-CEB
Beneficial Fla., Inc. and
CT Corporation System, Registered Agent
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (n) and (o)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Stagnant or foul water in a swimming or wading pool
3) Unsecured pool - Swimming pool not completely enclosed by permanent fencing
Location: 5111 Cypress Court, Winter Park (Commission District 1)
Parcel I. D. # 34-21-30-5CP-0000-1460

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Wisniewski stated that as of her last inspection, December 6, 2007, some work had been done but that the property was not in compliance.

Officer Wisniewski stated that she does believe the violations do affect the health, safety and welfare of the citizens of Seminole County.

Officer Wisniewski stated that the recommendation would be to comply by December 13, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past December 13, 2007.

Beneficial Fla., Inc. and CT Corporation System, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-148-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 34-21-30-5CP-0000-1460) located at 5111 Cypress Court, Winter Park, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

LEG LOT 146 WRENWOOD HEIGHTS PB 17 PG 2

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (n) and (o)

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is hereby ordered that the Respondents shall correct the violations on or before December 13, 2007. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE**
- 2) REMOVE STAGNANT OR FOUL WATER IN A SWIMMING OR WADING POOL**
- 3) SECURE POOL ACCORDING TO CODE**

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past December 13, 2007.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No. 07-97-CEB
Richard B. Divins
Senior Code Enforcement Officer: Deborah Leigh

This case was originally heard by the Code Enforcement Board on September 27, 2007; and an Order was entered giving the Respondent a compliance date of October 12, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on October 13, 2007.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$13,750.00** for 55 days of non-compliance, from October 13, 2007 through and including December 6, 2007, at \$250.00 per day; and the fine shall continue to accrue at **\$250.00 per day** for each day the violations continue or are repeated past December 6, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 2117 Silver Leaf Count, Longwood (Commission District 4)
Parcel I. D. # 27-20-29-5GP-0000-0330

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 27-20-29-5GP-0000-0330) located at 2117 Silver Leaf Count, Longwood, located in Seminole County and legally described as follows:

LEG LOT 33 WINGFIELD RESERVE PH 2 PB 28 PGS 68 TO 70

This case came on for public hearing before the Code Enforcement Board of Seminole County on September 27, 2007, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
DECEMBER 6, 2007

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by October 12, 2007.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on October 13, 2007.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated September 27, 2007, the Board orders that a **lien** in the amount of **\$13,750.00** for 55 days of non-compliance at \$250.00 per day, from October 13, 2007 through and including December 6, 2007, be imposed; and the fine shall continue to accrue at **\$250.00** per day for each day the violations continue or are repeated past December 6, 2007.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 6th day of December 2007, in Seminole County, Florida.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

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VII Approval of the minutes from the meeting of October 25, 2007.

MOTION BY LARRY LAWVER, SECONDED BY JAY AMMON, TO APPROVE THE MINUTES FROM THE MEETING OF OCTOBER 25, 2007.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

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VIII Confirmation date of next meeting: January 24, 2008

IX Old Business –

None

X New Business –

Larry Lawver stated that he would probably not be attending the January 24, 2008 meeting.

Tom Hagood recognized Jean Krause, a volunteer, for achieving Level I and Level II certifications from the Florida Association of Code Enforcement. Mr. Hagood also announced Officer Krause's appointment as a Reserve Code Enforcement Officer by Sheriff Eslinger.

Senior Code Officer Deborah Leigh informed the Board that Seminole County had the population to request that the Board of County Commissioners increase the daily fine imposed by the CEB. The Board decided to put this issue on the agenda for discussion at the January 24, 2008 meeting. The Board also decided to put the issue of the CEB requesting the authority to reduce or rescind liens on the January agenda for discussion.

XI Adjourn – There being no further discussion, this meeting was adjourned at 3:35 P.M.

Respectfully submitted:

Jane Spencer
Clerk to the Code Enforcement Board

Tom Hagood
Chair

12-06-07 minutes